

**Paul D. Brown, P.C.** **RECEIVED** **OCT 27 2008**

ATTORNEY AT LAW

pdb@law-linc.com

OFFICE:  
920 Dauphin Street  
Mobile, Alabama 36604  
(251) 438-4691

MAILING:  
Post Office Box 40456  
Mobile, Alabama 36640-0456  
Fax (251) 438-4693

October 22, 2008

**ADVANCE COPY VIA FACSIMILE**  
**412-995-3305**

John B. Cromer, Esq.  
BURNS, WHITE & HICKTON, LLC  
106 Isabella Street  
Pittsburgh, Pennsylvania 15212

**ADVANCE COPY VIA FACSIMILE**  
**412-391-3121**

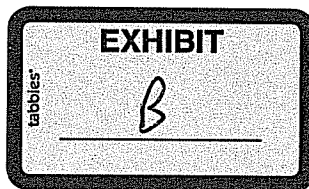
Bernard C. Caputo, Esq.  
CAPUTO, COX & SCHWARZWAELDER  
Three Gateway Center - Fifth Floor  
Pittsburgh, Pennsylvania 15222

RE:	My Client:	USA Hospitals
	Patient:	William James
	Account No.:	801072463
	Account Balance	\$9,127.50

National Indoor Football League, L.L. C. v. RPC Employer Services, Inc. et al.:  
Western District of Pennsylvania Case No.: CA 2-548

Dear Mr. Cromer and Mr. Caputo:

I represent the University of South Alabama Hospitals and the settlement which was reached in the above-referenced matter on April 7, 2008, through appellate court mediation included the claim referenced above. Since April I have written on numerous occasions the Leventry Law Firm and to Carolyn Shiver. My letters to Carolyn Shiver were sent to an address in Lafayette, Louisiana and have not been returned to me. However, my last letter to Ms. Shiver in August 2008 received a response from Bruce Bailey which I enclose for your review.



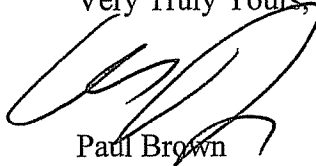
John B. Cromer, Esq.  
Bernard C. Caputo, Esq.  
Page -2-

Yesterday I received a copy of a fax addressed to each of you and to myself in reference to the failure of the NIFL to distribute the settlement proceeds in this matter. I also enclose a copy of my letter sent to Mr. Leventry On October 20, 2008, requesting that his office notify Judge McVerry of the failure of the NIFL. The fax received from Mr. Leventry reflects that it is upon the claimants to intervene to seek the NIFL's compliance.

Since both of you are in Pennsylvania, I wish to both introduce myself and to determine whether either of you will be proceeding with an intervention as suggested by Mr. Leventry or what other suggestions you may have.

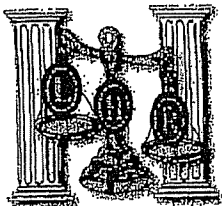
I look forward to hearing from you in this regard, and please feel free to contact me at my e-mail address ([pdb@law-linc.com](mailto:pdb@law-linc.com)).

Very Truly Yours,

A handwritten signature in black ink, appearing to be 'Paul Brown', written over a horizontal line.

Paul Brown

PDB/kas  
Enclosures



# Leventry, Haschak & Rodkey, LLC

Attorneys at Law

Sender's E-mail:  
tleventry@lhrklaw.com

Timothy C. Leventry, LL.M.\*  
John M. Haschak\*\*  
Randall C. Rodkey

Terry L. Graffius  
Ryan J. Sedlak  
Jeffrey W. Miller

Mary Beth Krause (Paralegal)  
Paul A. Mattis (Paralegal)  
\*Legal Masters Degree in Taxation  
\*\*Registered Patent Attorney

August 19, 2008

National Indoor Football League  
Attn: Carolyn Shiver  
600 Loire Avenue  
Lafayette, LA 70507

**Re: National Football League v. R.P.C. Employer Services, Inc.**

Dear Carolyn:

We received an August 19, 2008 letter from Paul Brown, attorney for USA Hospitals, explaining that USA Hospital's claim for William James had not been paid despite several requests to the NIFL's offices. By way of reminder, William James was a player for the Mobile Seagulls, and William James' invoice for treatment at USA Hospitals was listed on Plaintiff's Revised Exhibit 41, which shows the unpaid medical providers' claims accepted into evidence by the Court. As you are aware, we explained to you in our February 18, 2008 letter and in our March 24, 2008 letter that the NIFL is responsible to address payments directly with the providers listed on Exhibit 41 consistent with the Settlement of this case. The NIFL should be doing this as expeditiously as possible.

Because our representation of the NIFL in this case has ended and because the NIFL has undertaken the administration of these claims, we have forwarded Attorney Brown's payment inquiries to the NIFL's Lafayette office since this was the office responsible for communicating with the medical providers during the preparation of the case. If Attorney Brown should be contacting the NIFL at its new Florida office, please let me know and provide me with the Florida office address and phone number so I can direct Attorney Brown's inquiries to the Florida office. As I requested in previous correspondence, it would be helpful to provide me with the name of the NIFL's staff person primarily responsible for fielding inquiries and for handling payments. Any inquiries to my office can be referred specifically to him or her in order to expedite processing.

Your immediate attention to this matter is appreciated. Attorney Brown wants to conclude the payment of USA Hospital's claims as soon as possible. Accordingly, I also encourage the NIFL to contact Attorney Brown directly at (251) 438-4691 to move matters forward.

As I instructed you in prior correspondence, Judge McVerry would not be pleased if the NIFL was not devoting its attention to addressing payment to medical providers in a timely manner.

L:\NNNational Indoor Football League 01-214\Letter to Carolyn Shiver Re - Follow Up to Payments - USA Hospitals 8-19-08.wpd

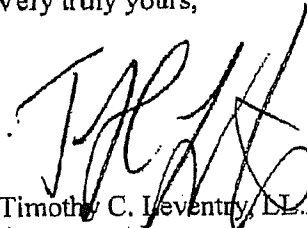
1397 Eisenhower Boulevard, Richland Square III, Suite 202, Johnstown, PA 15904  
Telephone: 814-266-1799 Fax: 814-266-5108

Web Site: www.lhrklaw.com



Please contact me or Ryan Sedlak if you have any questions.

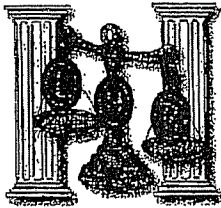
Very truly yours,

A handwritten signature in black ink, appearing to read 'T. Leventry', written over the typed name.

Timothy C. Leventry, D.L.M.  
Attorney at Law

TCL:rs

c: Paul Brown, Esq. (via facsimile - 251-438-4693)



# Leventry, Haschak & Rodkey, LLC

Attorneys at Law

Sender's E-mail:  
tleventry@lhrklaw.com

Timothy C. Leventry, LL.M.\*  
John M. Haschak\*\*  
Randall C. Rodkey

Terry L. Graffius  
Ryan J. Sedlak  
Jeffrey W. Miller

Mary Beth Krause (Paralegal)  
Paul A. Mattis (Paralegal)  
\*Legal Masters Degree in Taxation  
\*\*Registered Patent Attorney

October 21, 2008

John B. Cromer, Esq.  
Via Facsimile 412-995-3305

Bernard C. Caputo, Esq.  
Via Facsimile 412-391-3121

Paul D. Brown, Esq.  
Via Facsimile 251-438-4693

**RE: National Indoor Football League v. R.P.C. Employer Services, Inc.**

Gentlemen:

Please be advised that we sent Carolyn Shiver of the NIFL correspondence on August 13, 2008 (letter via regular mail and a separate email), on August 19, 2008 (two separate letters via regular mail) and on October 13, 2008 (letter via regular mail) explaining that the NIFL must comply with the Court's August 31, 2007 Order and with the Settlement Agreement by addressing the claims of the unpaid medical providers and/or judgment holders on Revised Exhibit 41, which was forwarded originally to the NIFL on February 18, 2008 as part of a packet of information detailing the parties' Settlement. The aforementioned letters to the NIFL were sent in response to concerns from several unpaid providers and players, including USA Hospitals, Kareem Vance, and Jeff Kerns, that the NIFL had not arranged payment following the receipt of the Settlement proceeds. Despite my office's recent series of correspondence, the NIFL has not responded to the concerns in any fashion and, to the best of our knowledge, has not contacted USA Hospitals, Jeff Kerns and Kareem Vance.

Because of the lack of communication from the NIFL, we do not know the extent to which the NIFL has attempted, if at all, to comply with the Settlement Agreement and with the Court's August 31, 2007 Order. Much to my dismay, the NIFL has not forwarded to us a list showing the NIFL's progress as we requested. We have informed the NIFL that failure to comply may subject both Carolyn Shiver and the NIFL to sanctions and penalties.

L:\NNNational Indoor Football League 01-214\Lit. to Artys Caputo, Cromer and Brown Re- NIFL 9-21-08.wpd

1397 Eisenhower Boulevard, Richland Square III, Suite 202, Johnstown, PA 15904

Telephone: 814-266-1799 Fax: 814-266-5108

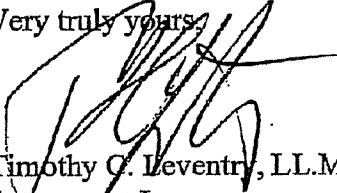
Web Site: [www.lhrklaw.com](http://www.lhrklaw.com)



Given the difficulties that some providers have experienced in arranging payment with the NIFL, we understand that RPC, USA Hospitals and Kareem Vance and perhaps others may seek Court intervention to ensure the NIFL's compliance. If Court intervention is sought, my office intends to cooperate with any requests issued by the Court.

In the meantime, I will let you know if the NIFL provides a response to my office's October 13, 2008 letter.

Very truly yours,



Timothy C. Leventry, LL.M.  
Attorney at Law

TCL/rs

cc: Carolyn Shiver